

MESSAGE NO: 0208204 MESSAGE DATE: 07/26/2000

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-122-814

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/1998 TO 07/31/1999

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR PURE MAGNESIUM FROM CANADA (A-122-814)

MESSAGE NO: 0208204

DATE: 07 26 2000

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 122 - 814

- -

- -

- -

- -

- -

PERIOD COVERED: 08 01 1998 TO 07 31 1999

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: LIQUIDATION INSTRUCTIONS FOR PURE MAGNESIUM
FROM CANADA (A-122-814)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY FINDINGS/ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213(b) OF THE COMMERCE REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER FOR THE PERIODS AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE

TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR
WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH
DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY SUMMARY.

PURE MAGNESIUM FROM CANADA PERIOD
A-122-814

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 08/01/1998-07/31/1999

NORSK HYDRO CANADA INC.

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE
LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE
COMPLETION OF THE ADMINISTRATIVE REVIEW. CONTINUE TO SUSPEND
LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED
BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE,
FOR CONSUMPTION DURING THIS PERIOD.

4. THESE INSTRUCTIONS CONSTITUTES THE IMMEDIATE LIFTING OF
SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND
PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH
DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT
ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS
SERVICE ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT
TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930.
SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS
AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS
DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST
PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS
ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF
THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED
FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES
THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH
INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621
OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISONS, USING ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT THE ANALYST IN CHARGE OF THE CASE ON (202) 482-4737, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party